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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/726,558

12/01/2000

Ryo Ozawa

P20020

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7055

7590

02/26/2004

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EXAMINER

CZEKAJ, DAVID J

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,558

Applicant(s)

OZAWA, RYO

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because:

In figure 1, item 28, the examiner understood "Imag-" to be "Image".

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

On page 26, line 6, the examiner cannot find the reference to "endoscope-image-display scene 38". The examiner notes that the label "38" points to the monitor in the figure.

On page 35, line 5, the examiner understood "808" to be "826".

On page 37, line 7, the examiner understood "816" to be "834".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanno et al. (5583566), (hereinafter referred to as "Kanno").

Regarding claim 1, Kanno discloses an apparatus for interfacing a medical instrument wherein no cable for transmitting information is required (Kanno: column 4, lines 63-65). This apparatus comprises an "endoscope having a solid state image sensor provided at a distal end, an image signal processing unit that produces a video signal based on the image signals, and a monitor for reproducing and displaying the images" (Kanno: column 7, lines 43-54, wherein the solid state image sensor is the CCD which is located on the tip or distal end and the signal processing unit is the conversion of the input signal to a video signal). The system further comprises a "scene changing system that changes a scene on the monitor between an endoscope image display scene and a patient data list display scene" (Kanno: figure 32, wherein the user has the ability to change the scene between the endoscope image display or endoscope inspection and the patient data list or patient data management), "storage system that stores patient data forming a patient data list which is displayed on the monitor when the scene on the monitor is changed from the endoscope image display to the patient data display" (Kanno: figure 30A, column 22, lines 49-55, wherein the storage device is the hard disc), "a selection system that selects individual patient data from the patient data list displayed on the monitor" (Kanno: figure 32, column 23, lines 53-67 – column 24, lines 1-67, wherein the selection system is the program displayed on the screen in figure 32), and a "display control system that displays the individual patient data together with the endoscope image on the monitor when the scene is changed from the patient list

to the endoscope image display" (Kanno: figures 24 and 33, wherein the endoscope images are displayed in box 203a).

Regarding claim 2, Kanno discloses an "editing system that edits the patient data forming the patient data list" (Kanno: column 25, lines 21-25, wherein the editing system is the patient data management).

Regarding claim 3, Kanno discloses "the production of the video signal is performed by the image signal processing unit such that as much patient information as possible is included in the patient data list to be displayed on the monitor when the scene is changed from the endoscope image display to the patient data list display" (Kanno: note figures 33 and 30. Figure 33 shows a screen with the endoscope video image along with some patient information. When the screen is switched to the patient data management screen as seen in figure 33, the patient data list takes up as much as the screen as possible maximizing the information displayed).

Regarding claim 5, Kanno discloses that the selection system further includes an "indicator system that visually indicates patient data to be selected from the patient data list" (Kanno: column 23, lines 47-55, wherein the visual indicator is the mouse), "manual operation system that controls the indication of the patient data to be selected from the list" (Kanno: figure 32, column 23, lines 53-67 – column 24, lines 1-67, wherein the operating system is the program that runs the menu displayed on the screen in figure 32) and a "manual settlement system that manually settles the indication of the patient data to be selected from

the patient data list" (column 23, lines 47-55, wherein the settlement system is the mouse in that the mouse "click" manually settles or selects the appropriate data).

Regarding claim 6, Kanno discloses an "editing system that edits the patient data forming the patient list" (Kanno: column 25, lines 21-25, wherein the editing system is the patient data management), and a "determination system that determines whether the editing of the patient data is performed by an editing system after the activation of the manual settlement system, the editing of the patient data being settled by an activation of the manual settlement system when the performance of the editing of the patient data is confirmed by the determination system" (Kanno: column 23, lines 47-55, wherein the settlement system is the mouse in that the mouse "click" manually settles or selects the appropriate data. The data will not be edited until the selection is "clicked" or confirmed by the system).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanno et al. (5583566), (hereinafter referred to as "Kanno") in view of Ozawa et al. (6154248), (hereinafter referred to as "Ozawa").

Regarding claim 4, Kanno discloses an apparatus for interfacing a medical instrument wherein no cable for transmitting information is required (Kanno: column 4, lines 63-65). The apparatus comprises a "scene changing system that changes a scene on the monitor between an endoscope image display scene and a patient data list display scene" (Kanno: figure 32, wherein the user has the ability to change the scene between the endoscope image display or endoscope inspection and the patient data list or patient data management), "storage system that stores patient data forming a patient data list which is displayed on the monitor when the scene on the monitor is changed from the endoscope image display to the patient data display" (Kanno: figure 30A, column 22, lines 49-55, wherein the storage device is the hard disc), "a selection system that selects individual patient data from the patient data list displayed on the monitor" (Kanno: figure 32, column 23, lines 53-67 – column 24, lines 1-67, wherein the selection system is the program displayed on the screen in figure 32), and a "display control system that displays the individual patient data together with the endoscope image on the monitor when the scene is changed from the patient list to the endoscope image display" (Kanno: figures 24 and 33, wherein the endoscope images are displayed in box 203a). Although one of ordinary skill would realize that Kanno's apparatus would utilize clock signals to transfer data, Kanno fails to disclose the specifics of the clock signals as claimed. Ozawa teaches that connecting an endoscope to peripheral equipment based on one frequency can lead to a deteriorated quality of the reproduced color image

(Ozawa: column 2, lines 66-67 – column 3, lines 1-36). To fix this problem, Ozawa discloses an apparatus that outputs digital images based on a second series of clock pulses having a frequency different from that of the first series of clock pulses (Ozawa: column 3, lines 39-49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Kanno and add the multiple clock pulses with different frequencies taught by Ozawa in order to obtain an apparatus that produces superior video quality and one would be further motivated since Kanno is silent on how to do so.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-5697885	11-2000	Konomura et al.
US-5243416	09-1993	Nakazawa, Naoyuki
US-6120435	09-2000	Eino, Teruo
US-5894322	04-1999	Hamano et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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SUPERVISORY PATENT EXAMINER
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